

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6984**

**BILL NUMBER:** HB 1205

**NOTE PREPARED:** Apr 29, 2009

**BILL AMENDED:** Mar 26, 2009

**SUBJECT:** Injured Volunteer Firefighters.

**FIRST AUTHOR:** Rep. Bischoff

**FIRST SPONSOR:** Sen. Landske

**BILL STATUS:** Enrolled

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
X FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill provides that the state, a political subdivision, or a private employer may not discipline an employee who is a member of a volunteer fire department and who is injured or absent from work because of an injury that occurs while the employee is engaged in emergency firefighting or emergency response activities.

The bill provides that the period in which the employee may not be disciplined for an absence because of an injury may not exceed six months from the date of the injury.

The bill provides that the employer may require the injured employee to provide evidence from a physician or other medical authority showing: (1) treatment for the injury at the time of the absence; and (2) a connection between the injury and the employee's emergency firefighting or emergency response activities. It requires the employer, to the extent required by federal or state law, to retain information about the injury in a separate medical file and to treat the information as a confidential medical record.

The bill allows an injured employee to use sick leave when the employee is absent from work because of an injury that occurs while the employee is engaged in emergency firefighting or emergency response activities. It requires an employer to administer the absence in a manner consistent with the federal Family and Medical Leave Act.

**Effective Date:** July 1, 2009.

**Explanation of State Expenditures:** The impact on the state would be as an employer of a member of a volunteer fire department and who is injured or absent from work because of an injury that occurs while the

employee is engaged in emergency firefighting or emergency response activities. The state would not be able to discipline the employee for the time absent. The impact is probably minor.

Background: There are about 837 volunteer fire/rescue departments in Indiana with about 20,000 volunteers.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** See *Explanation of State Expenditures*. The impact on local units would be as employers.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:**

**Information Sources:** Indiana Volunteer Firefighters Association, [www.ivfa.org](http://www.ivfa.org).

**Fiscal Analyst:** Chuck Mayfield, 317-232-4825.